

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
9106 Hines Road, 1600 ft. N of
Joppa Road
11th Election District
5th Councilmanic District
A. Leroy Metz, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by A. Leroy Metz and Jean L. Metz, for that property known as 9106 Hines Road in the Joppa Village subdivision of Baltimore County. The Petitioners herein request a variance from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. side yard setback for an open projection (carport) in lieu of the required 7.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of October, 1993 that the Petition for a Zoning Variance from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. side yard setback for an open projection (carport) in lieu of the required 7.5 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The granting of the Petition for Administrative Variance herein shall not be considered an approval for use of the property as an office. That is, all uses on the property shall be in compliance with the provisions of the Baltimore County Zoning Regulations (B.C.Z.R.).

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 27, 1993

Mr. and Mrs. A. Leroy Metz
9106 Hines Road
Baltimore, Maryland 21234

RE: Petition for Administrative Variance
Case No. 94-131-A
9106 Hines Road

Dear Mr. and Mrs. Metz:

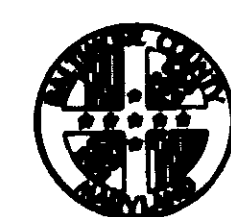
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mnn
encl.



Petition for Administrative Variance
94-131-A
to the Zoning Commissioner of Baltimore County

for the property located at 9106 Hines Road
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property, hereby petition for a Variance from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. side yard setback for an open projection (carport) in lieu of the required 7.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

1. Severe health problems require turning existing garage into office space.
2. Existing double driveway extends to within 3 ft. of 9104 Hines Road property line. (Next door neighbor's driveway.)
3. Posts for double carport roof would have to be placed within 3 1/2 ft. of property line to allow for opening of car doors. (Next door neighbor's driveway.)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When in signing this petition, the undersigned, legal owner of the property, hereby certifies that the information furnished is true and correct to the best of his or her knowledge and belief.

Legal Owner

A. Leroy Metz

Signature

Joan L. Metz

Signature

9106 Hines Road (410) 256-2023

Baltimore MD 21234

City, State, and phone number of respondent, to be contacted

Name, Address and phone number of respondent, to be contacted

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Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: *10-1-93*
Item No.: *1-111 (JRA)*

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestable
John Contestable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 4, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 130, 133, 134, 135, 136, 137, 139, 140 and 141.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

ZAC. 133/PZONE/ZAC1

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204

October 8, 1993

(410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

Zoning Agenda: Meeting of October 4, 1993

Joseph Michael Neukam and Audrey E. Neukam
#2001 Codd Avenue
130 (RT)

Paul Goodman
#1002 Reisterstown Road
+131 (RT)

Colonial Village Company
#7002 Reisterstown Road - Colonial Village Shopping Ctr.
+132 (JRA)

Iron City Sash and Door
#2202 Halethorpe Farm Road
+133 (JLL)

David Wayne Johnson and Tera Lee Johnson
#11 Horse Chestnut Court
*8 134 (RT)

Edmund J. Cardoni and Teena L. Cardoni
#232 Antietam Road
*135 (JCM)

Charles D. Lowe and Sharon A. Lowe
#1900 Dineen Drive
136 (JLL)

Elizabeth Hendrickson, Personal Representative for the Estate of
Rita S. Holland
#13224 Fork Road
137 (JJS)

The Pines at Deep Run Limited Partnership
#5,6,7, & 8 Deep Run Court
+ 138 (MJK)

Robin Barbagallo and Francis S. Barbagallo, Jr.
#1301 Evergreen Lane
+139 (JJS)

Printed with Soybean Ink
on Recycled Paper

Joseph Leibowitz and Betty I. Liebowitz
#138 (JLL)

A. LeRoy Metz and Jean L. Metz
#9106 Hines Road
+141 (JRA)

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *Robert P. Sauerwald*
Lieutenant Robert P. Sauerwald
Fire Prevention Bureau
(887-4880)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 4, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: A. LeRoy Metz and Jean L. Metz
9106 Hines Road
Baltimore, Maryland 21234

Re: CASE NUMBER: 94-131-A (Item 141)
9106 Hines Road
W/S Hines Road, 1600' W of Joppa Road
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 10, 1993. The closing date (October 25, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

September 21, 1993

Re: Variance Petition
A. LeRoy Metz and Jean L. Metz

To Whom It May Concern:

It is my understanding that Roy and Jean Metz, property owners of 9106 Hines Road, desire to turn their present attached garage into office space and roof over a portion of their double driveway which abuts this structure. It is also my understanding that in order to have enough width for the double carport it would necessitate placing the outer posts approximately 3 1/2 feet from my property line.

This is to inform you that I have no objection to this construction as it will not have any undesirable effect on me or my property. The Metz's have had a double driveway for many years and have parked their family cars within three feet of my property line on the bedroom side of my house with no adverse effect whatsoever. The construction of the posts would not create a problem for me.

Shirley R. Calabro
Shirley R. Calabro
Property Owner

9104 Hines Road
Baltimore, MD 21234
Phone: (410) 256-1422

#141

94-131-A



94-131-A



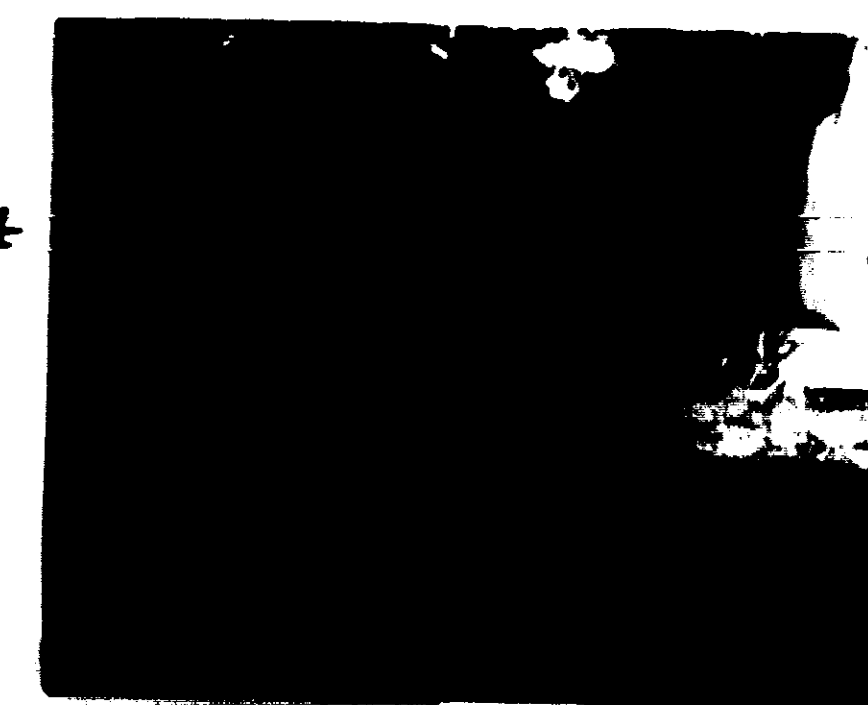
View towards front
of house

G/G2



94-131-A

Side of garage -
showing where posts
& walkway (covered) will
go.



Side of house
showing where
posts for carport
& walkway will
go.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9106 Hines Road
 Subdivision name: Joppa Village
 plat book 18, folio 015, lot 8, section C
 OWNER: A. LeRoy Metz & Jean Metz

241 assessment public property

Triple Garage
 Shirley Calabro
 Roy & Jean Metz
 Henry & Dolores Lambert

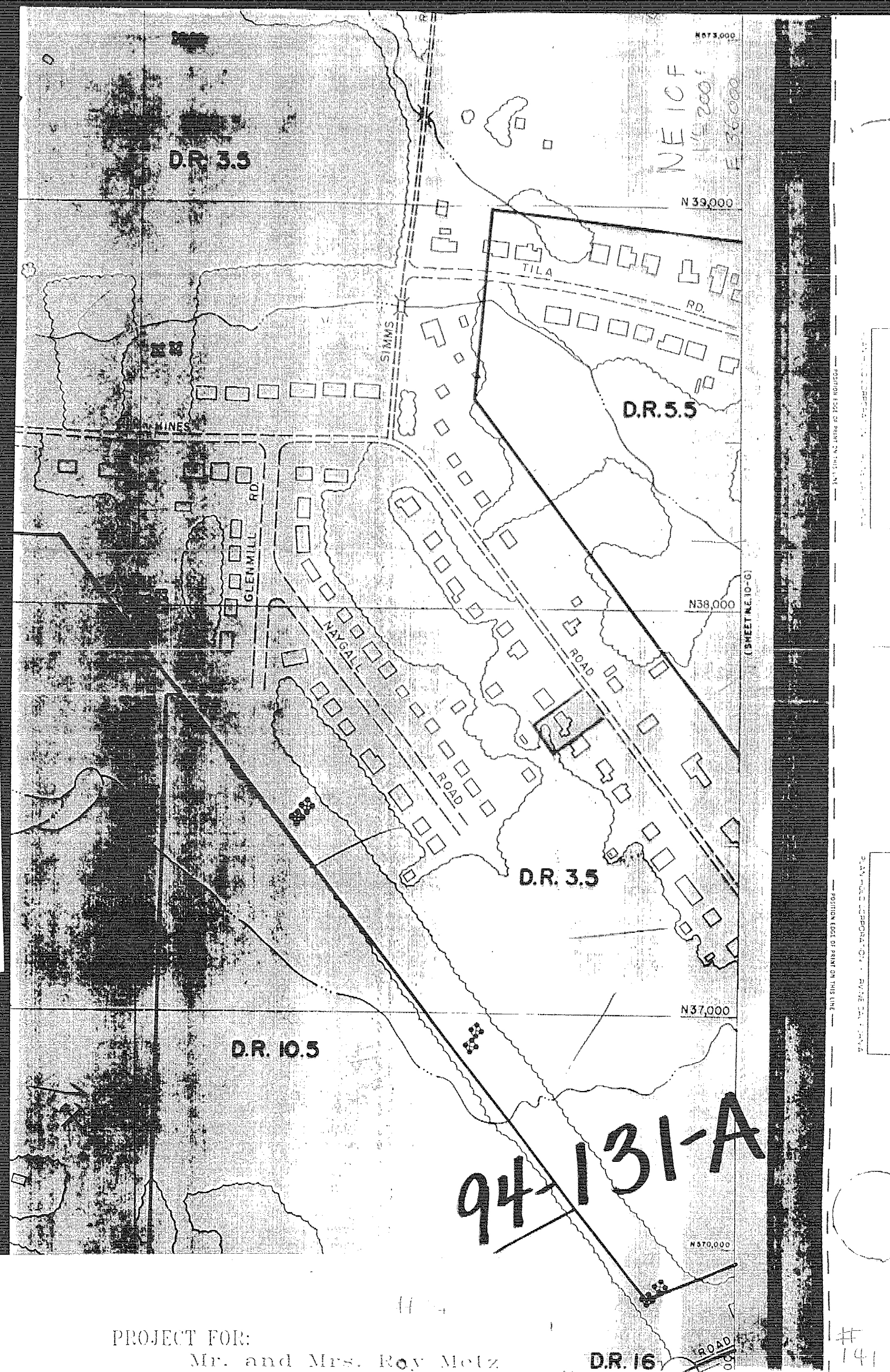
200 ft
 200 ft

Hines Road 94-131-A

North
 date: 9/23/93
 prepared by: Jean Metz
 Scale of Drawing: 1" = 50'

LOCATION INFORMATION
 Election District: 11
 Councilmanic District: 5
 1" = 200' scale map: NE-10F
 Zoning: D.R. 3.5
 Lot size: 0.341 15000 square feet
 Sewer: ☒
 Water: ☒
 Chesapeake Bay Critical Area: ☒
 Prior Zoning Hearings: N/A

Zoning Office USE ONLY!
 reviewed by: ITEM #: CASE#:
 SMD 141

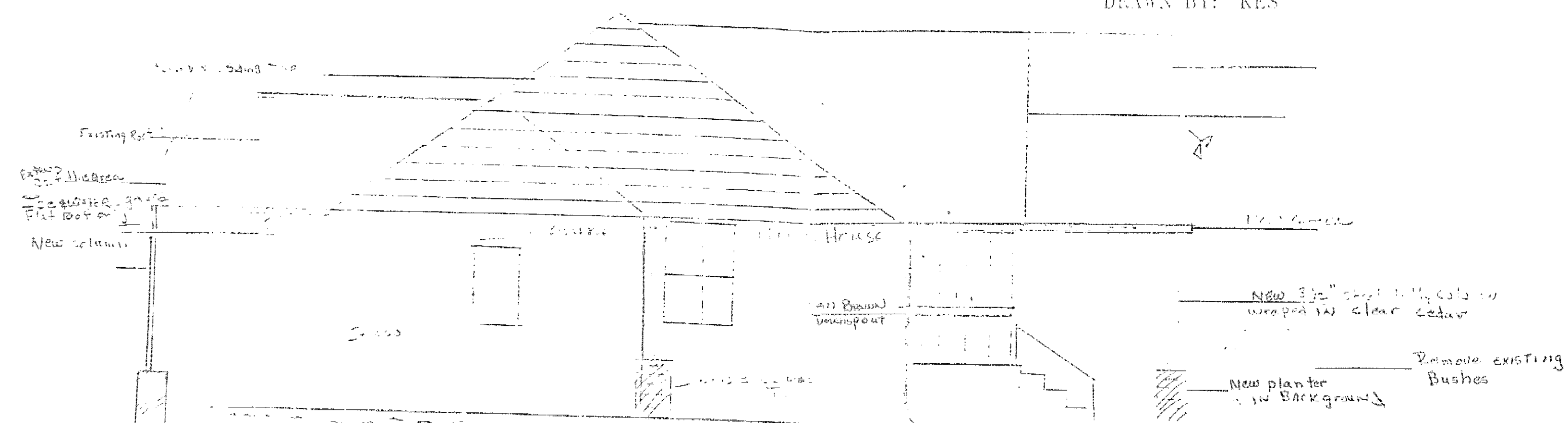


PROJECT FOR:
 Mr. and Mrs. Roy Metz
 9106 Hines Road
 Baltimore, Maryland 21234

SUBMITTED BY:
 Highview Construction Company
 U/a GATEWAY BUILDERS
 1507 Serpentine Road
 P.O. Box 10489
 Baltimore, Maryland 21203

DATED: August 17, 1993

DRAWN BY: KES

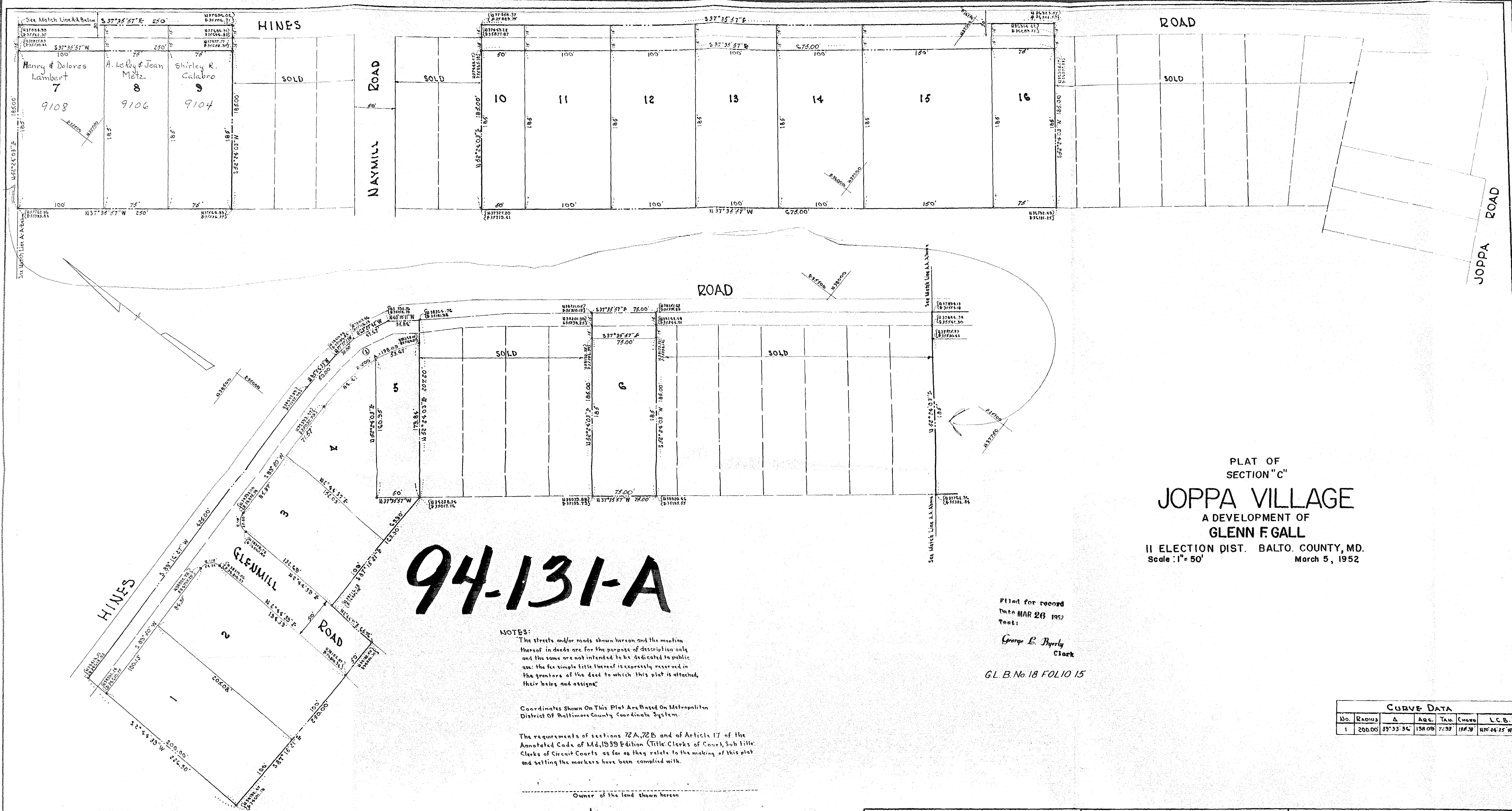


BALTIMORE COUNTY
 PLANNING AND ZONING
 PHOTOGRAPHIC MAP

A. LeRoy & Jean L. Metz
 9106 Hines Road
 Baltimore, MD 21234

SCALE	LOCATION	SHEET
1" = 200' ±	CARNEY	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	PERRY HALL	10-F

94-131-A



PLAT OF
SECTION "C"
JOPPA VILLAGE
A DEVELOPMENT OF
GLENN F. GALL
11 ELECTION DIST. BALTO. COUNTY, MD.
Scale: 1" = 50' March 5, 1952

Filed for record
Date MAR 28 1952
Test:
George L. Pyrrly
Clerk
G.L.B. No 18 FOLIO 15

NOTES:
The streets and/or roads shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

Coordinates Shown On This Plat Are Based On Metropolitan District Of Baltimore County Coordinate System.

The requirements of sections 72A, 72B, and of Article 17 of the Annotated Code of Md., 1939 Edition (Title Clerks of Court, Subtitle Clerks of Circuit Courts) as far as they relate to the making of this plat and setting the markers have been complied with.

CURVE DATA						
No.	RADIUS	Δ	ARC. TAB.	CHORD	LCB.	L.C.B.
1	200.00	33°33'36"	158.08	7.33	158.39	116°24'25" W

Highways Department Of Baltimore County
Approved For Street Alignment And Location
BY *J. L. Giffitt* ROAD ENGINEER
APPROVED FOR BALTIMORE COUNTY PLANNING COMMISSION
BY *Frederick V. Dier* DIRECTOR
THOMPSON, GRACE AND MAYS, INC.
ENGINEERS - CONTRACTORS
FIDELITY TRUST COMPANY BLDG.
TOWSON 4, MARYLAND

#141